

copy of the applicable section 7 incidental take statement issued pursuant to the Endangered Species Act (ESA), and a signed certification that you are in full compliance with all terms and conditions of the ESA incidental take statement.

(2) If you request reevaluation of the terms and conditions required under your previously granted ESA incidental take statement for eagles, you must include a description of the modifications you request, and an explanation for why you believe the original conditions or measures are not reasonably justified to offset the detrimental impact of the permitted activity on eagles.

(3) Send completed permit applications to the Regional Director of the Region in which the disturbance would occur—Attention: Migratory Bird Permit Office. You can find the current addresses for the Regional Directors in § 22.2 of subchapter A of this chapter.

[73 FR 29083, May 20, 2008]

EFFECTIVE DATE NOTE: At 74 FR 46879, Sept. 11, 2009, § 22.28 was amended by revising paragraphs (a) and (b), effective Nov. 10, 2009. For the convenience of the user, the revised text is set forth as follows:

§ 22.28 Permits for bald eagle take exempted under the Endangered Species Act.

(a) *Purpose and scope.* This permit authorizes take of bald eagles (*Haliaeetus leucocephalus*) in compliance with the terms and conditions of a section 7 incidental take statement under the Endangered Species Act of 1973, as amended (ESA) (16 U.S.C. 1531 *et seq.*; 50 CFR 402, Subpart B) issued prior to the effective date of 50 CFR 22.26.

(b) *Issuance criteria.* Before issuing you a permit under this section, we must find that you are in full compliance with the terms and conditions contained in the applicable ESA incidental take statement issued prior to the effective date of 50 CFR 22.26 for take of eagles, based on your certification and any other relevant information available to us, including, but not limited to, monitoring or progress reports required pursuant to your incidental take statement. The terms and conditions of the Eagle Act permit under this section, including any modified terms and conditions, must be compatible with the preservation of the bald eagle.

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Subpart D—Depredation Control Orders on Golden Eagles

§ 22.31 Golden eagle depredations control order on request of Governor of a State.

(a) Whenever the Governor of any State requests permission to take golden eagles to seasonally protect domesticated flocks and herds in such State, the Director shall make an investigation and if he determines that such taking is necessary to and will seasonally protect domesticated flocks and herds in such States he shall authorize such taking in whatever part or parts of the State and for such periods as he determines necessary to protect such interests.

(b) Requests from the Governor of a State to take golden eagles to seasonally protect domesticated flocks and herds must be submitted in writing to the Director listing the periods of time during which the taking of such birds is recommended, and including a map of the State indicating the boundaries of the proposed area of taking. Such requests should include a statement of the facts and the source of such facts that in the Governor's opinion justifies the request. After a decision by the Director, the Governor will be advised in writing concerning the request and a notice will be published in the FEDERAL REGISTER.

§ 22.32 Conditions and limitations on taking under depredation control order.

(a) Whenever the taking of golden eagles without a permit is authorized for the seasonal protection of livestock, such birds may be taken by firearms, traps, or other suitable means except by poison or from aircraft.

(b) Any person exercising any of the privileges granted by this subpart D must permit all reasonable times, including during actual operations, any Service agent, or other game law enforcement officer free and unrestricted access over the premises on which such operations have been or are being conducted; and shall furnish promptly to such officer whatever information he may require concerning such operations.

(c) The authority to take golden eagles under a depredations control order issued pursuant to this subpart D only authorizes the taking of golden eagles when necessary to seasonally protect domesticated flocks and herds, and all such birds taken must be reported and turned over to a local Bureau Agent.

PART 23—CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA (CITES)

Subpart A—Introduction

Sec.

- 23.1 What are the purposes of these regulations and CITES?
- 23.2 How do I decide if these regulations apply to my shipment or me?
- 23.3 What other wildlife and plant regulations may apply?
- 23.4 What are Appendices I, II, and III?
- 23.5 How are the terms used in these regulations defined?
- 23.6 What are the roles of the Management and Scientific Authorities?
- 23.7 What office do I contact for CITES information?
- 23.8 What are the information collection requirements?

Subpart B—Prohibitions, Exemptions, and Requirements

- 23.13 What is prohibited?
- 23.14 [Reserved]
- 23.15 How may I travel internationally with my personal or household effects, including tourist souvenirs?
- 23.16 What are the U.S. CITES requirements for urine, feces, and synthetically derived DNA?
- 23.17 What are the requirements for CITES specimens traded internationally by diplomatic, consular, military, and other persons exempt from customs duties or inspections?
- 23.18 What CITES documents are required to export Appendix-I wildlife?
- 23.19 What CITES documents are required to export Appendix-I plants?
- 23.20 What CITES documents are required for international trade?
- 23.21 What happens if a country enters a reservation for a species?
- 23.22 What are the requirements for in-transit shipments?
- 23.23 What information is required on U.S. and foreign CITES documents?
- 23.24 What code is used to show the source of the specimen?
- 23.25 What additional information is required on a non-Party CITES document?

- 23.26 When is a U.S. or foreign CITES document valid?
- 23.27 What CITES documents do I present at the port?

Subpart C—Application Procedures, Criteria, and Conditions

- 23.32 How do I apply for a U.S. CITES document?
- 23.33 How is the decision made to issue or deny a request for a U.S. CITES document?
- 23.34 What kinds of records may I use to show the origin of a specimen when I apply for a U.S. CITES document?
- 23.35 What are the requirements for an import permit?
- 23.36 What are the requirements for an export permit?
- 23.37 What are the requirements for a re-export certificate?
- 23.38 What are the requirements for a certificate of origin?
- 23.39 What are the requirements for an introduction-from-the-sea certificate?
- 23.40 What are the requirements for a certificate for artificially propagated plants?
- 23.41 What are the requirements for a bred-in-captivity certificate?
- 23.42 What are the requirements for a plant hybrid?
- 23.43 What are the requirements for a wildlife hybrid?
- 23.44 What are the requirements to travel internationally with my personally owned live wildlife?
- 23.45 What are the requirements for a pre-Convention specimen?
- 23.46 What are the requirements for registering a commercial breeding operation for Appendix-I wildlife and commercially exporting specimens?
- 23.47 What are the requirements for export of an Appendix-I plant artificially propagated for commercial purposes?
- 23.48 What are the requirements for a registered scientific institution?
- 23.49 What are the requirements for an exhibition traveling internationally?
- 23.50 What are the requirements for a sample collection covered by an ATA carnet?
- 23.51 What are the requirements for issuing a partially completed CITES document?
- 23.52 What are the requirements for replacing a lost, damaged, stolen, or accidentally destroyed CITES document?
- 23.53 What are the requirements for obtaining a retrospective CITES document?
- 23.54 How long is a U.S. or foreign CITES document valid?
- 23.55 How may I use a CITES specimen after import into the United States?
- 23.56 What U.S. CITES document conditions do I need to follow?